

Bolivia 2014 Trafficking in Persons (TIP) Report

Bolivia – Tier 2 Watch List

Bolivia is principally a source country for men, women, and children who are exploited in sex trafficking and forced labor within the country and abroad. To a more limited extent, women from other nearby countries, including Brazil and Paraguay, have been identified in forced prostitution in Bolivia. Indigenous Bolivians are particularly vulnerable to sex and labor trafficking. Women, children, and men are subjected to sex trafficking in Bolivia; LGBT youth are particularly vulnerable to sex trafficking. Bolivian women and girls are also exploited in sex trafficking in neighboring countries, including Argentina, Peru, and Chile. Within the country, Bolivian men, women, and children are found in forced labor in domestic service, mining, ranching, and agriculture. Bolivians working in agriculture, food processing, and ranching in the Chaco region of Bolivia experience forced labor; indicators include physical confinement, induced indebtedness, nonpayment or withholding of wages, and threats of violence. Some indigenous families reportedly live in debt bondage in the country, particularly in the Chaco region. The press reports cases of children forced to commit criminal acts, such as robbery and drug production, and children participating in forced begging. Bolivians are found in forced labor in Argentina, Brazil, Chile, Peru, Spain, the United States, and other countries, usually in sweatshops and agriculture, as well as in domestic service. In 2013, Bolivian authorities identified Bangladeshi men transiting through Bolivia to Brazil as potential labor trafficking victims. Authorities report some nationals from neighboring countries engage in child sex tourism.

The Government of Bolivia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Authorities continued to report identifying a large number of potential trafficking victims and convicted two trafficking offenders, a decrease from six convictions in 2012. Despite these efforts, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Bolivia is placed on Tier 2 Watch List. Bolivian authorities did not allocate adequate funding for specialized victim services as required under the anti-trafficking law of 2012, nor did they make efforts to register and inspect employment agencies for possible involvement in trafficking, another requirement of the law. Uneven data collection made it difficult to assess government efforts to identify and assist trafficking victims and to investigate and prosecute trafficking cases. Specialized services for adult victims and victims of forced labor were nonexistent. The number of trafficking convictions remained low relative to the large number of victims in Bolivia, particularly for forced labor. Despite the large number of Bolivian trafficking victims identified in neighboring countries, authorities did not report how many, if any, of these victims received government-provided services upon repatriation.

Recommendations for Bolivia:

Enhance victim services across the country by increasing resources designated for specialized assistance for trafficking victims, including for victims of forced labor; strengthen efforts to prosecute trafficking offenses, and convict and punish trafficking offenders and fraudulent labor recruiters; increase resources for prosecutors and police and ensure dedicated human trafficking

units focus on human trafficking as opposed to other crimes, such as missing persons; develop formal procedures for identifying trafficking victims among vulnerable populations; intensify law enforcement efforts against the forced labor of adults and children, including domestic servitude, and the forced prostitution of adults; provide all returning Bolivian trafficking victims reintegration services; and improve data collection.

Prosecution

The Government of Bolivia initiated fewer trafficking investigations and convicted fewer trafficking offenders compared with the previous year. Law 263 of 2012 prohibits all forms of trafficking and establishes penalties of 10 to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed under Bolivian law for other serious crimes, such as rape. The law diverges from the 2000 UN TIP Protocol by penalizing illegal adoption as human trafficking. Some officials conflated human trafficking with the movement of children within the country or to other countries without proper documentation. Some police and prosecutors investigated child sex trafficking as non-trafficking crimes, such as pimping.

Prosecutors reported opening 181 trafficking investigations in 2013; there was no information available regarding how many of these cases involved sex trafficking, forced labor, or illegal adoption or how many victims were children or adults. This represents a decrease from 285 trafficking investigations reported opened by prosecutors in 2012. There were also 161 trafficking investigations that remained open from previous years. In addition, 55 investigations from previous years closed in 2013, 52 for lack of sufficient evidence. The government prosecuted and convicted two trafficking offenders in 2013, but did not report their sentences. In comparison, the government reported convicting one forced labor and five sex trafficking offenders in 2012.

The government operated 15 specialized anti-trafficking and anti-smuggling police units. Some of the cases investigated by these units involved other crimes such as missing persons and domestic violence, limiting officers' ability to focus on human trafficking cases. The national coordination office responsible for prosecution of human trafficking and other crimes maintained a database of trafficking cases, but this database lacked specific information such as the number of prosecutions initiated during the year or the kind of trafficking cases involved. At least one prosecutor in each of Bolivia's nine departments was designated to handle trafficking cases in addition to their existing caseload. Prosecutors reported that police conflated trafficking with other issues, such as runaway youth, and that police gathered insufficient evidence to prove trafficking crimes. Law enforcement officials and prosecutors received anti-trafficking training from government officials in 2013, often partnering with international organizations with foreign donor funding. The ombudsman's office reported that two police officers allegedly forced female inmates into prostitution. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

Protection

The Government of Bolivia made inadequate victim protection efforts, and civil society organizations provided the majority of specialized care without government funding. The government lacked formal procedures for identifying trafficking victims among vulnerable

populations, such as people in prostitution or child laborers. Prosecutors reported identifying 253 trafficking victims in 2013, but did not specify how many were exploited in labor trafficking or sex trafficking. More than half of these identified victims were Bolivian girls, and based on press accounts and past trafficking convictions, most victims identified were girls in sex trafficking. Efforts to identify forced labor victims or adult trafficking victims were more limited. Authorities reported that labor inspectors were trained to identify forced labor cases, but did not report if any inspectors did so in 2013. Argentine and Brazilian officials reported identifying a large number of Bolivian victims during the year, some of whom returned to Bolivia.

Specialized victim services were lacking in most of the country. Police and prosecutors referred victims to services and shelters during the year, including social workers, although the government did not report the total number of victims assisted in 2013 or what kind of services these victims received. Authorities had a victim attention protocol outlining required victim support procedures for different government institutions, but it is unclear how it was implemented. The government operated one shelter in La Paz for girl victims of sexual abuse and commercial sexual exploitation that assisted 30 child sex trafficking victims in 2013. Funding for this shelter was inadequate to meet the needs of victims. Law 263 required regional governments to create specialized care centers for trafficking victims, but none did so during the year. The government funded no specialized services for boys or for adult victims. Departmental governments operated special victims units focused on providing legal and psychological services to victims of gender-based violence, including victims of human trafficking, but did not report how many trafficking victims these units assisted. These units varied in effectiveness and most lacked sufficient resources. NGOs and religious groups provided the majority of shelter care and reintegration programs without government funding; none of these programs were exclusively for trafficking victims. An international organization funded the repatriation of 19 Bolivian victims from Argentina and Peru, and the government did not have sufficient funding to assist Bolivian victims exploited in neighboring countries. Authorities did not report what services were provided to repatriated victims. In this reporting period, the government did not report progress in providing long-term medical, psychological, and legal support for trafficking victims and improving victim protection, deficiencies identified by an internal government assessment conducted in 2012.

The government encouraged victims to participate in trafficking investigations and prosecutions, though victims often chose not to cooperate out of fear of reprisals from traffickers and lack of faith in the judicial system. During the year, there was one known case in which government officials released the names of child trafficking victims to the press. The trafficking law criminalizes the release of victim information by government employees and prescribes penalties of three to eight years' imprisonment, but authorities did not report initiating any prosecutions for this crime. There were no reports of identified victims being jailed or penalized for unlawful acts committed as a direct result of their being subjected to human trafficking. The government could provide foreign victims with humanitarian visas to temporarily remain in Bolivia, but did not report doing so during the year.

Prevention

The government took limited prevention efforts, which varied greatly in effectiveness across the country. The national anti-trafficking council, which also focused on smuggling, met monthly

and drafted a national plan for trafficking and smuggling in 2013 with civil society input. Several departments formed anti-trafficking councils of varying effectiveness to coordinate local policies; however, coordination between government agencies was uneven outside of the capital. Law 263 obligated private media outlets to run or publish public awareness announcements on human trafficking without remuneration. It also required the Ministry of Labor to create a national registry of employment agencies—entities often involved in trafficking cases—in order to monitor for trafficking activity, but authorities did not establish this mechanism in 2013. There were no reported investigations, prosecutions, or convictions for child sex tourism during the year. The government did not report any efforts to reduce demand for commercial sex acts or forced labor. It did not report providing anti-trafficking training to its troops before they deployed on international peacekeeping missions.